

EXHIBIT O

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1 UNITED STATES INTERNATIONAL TRADE COMMISSION

2 WASHINGTON, D.C.

3 Before The Honorable Charles E. Bullock

4 Chief Administrative Law Judge

5
6 In the Matter of) Inv. No. 337-TA-1191
CERTAIN AUDIO PLAYERS AND)
7 CONTROLLERS, COMPONENTS)
THEREOF, AND PRODUCTS)
8 CONTAINING SAME)
-----)

9
10 *** HIGHLY CONFIDENTIAL BUSINESS INFORMATION ***

11 *** SUBJECT TO PROTECTIVE ORDER ***

12 - - -

13 ** CONFIDENTIAL SOURCE CODE, ATTORNEYS' EYES ONLY
14 INFORMATION **

15
16 THURSDAY, OCTOBER 1, 2020

17 - - -

18 REMOTE ZOOM Deposition of GOOGLE, LLC, by and
19 through its designee, KEN MACKAY, beginning at
20 9:05 a.m., before Nancy J. Martin, a Registered Merit
21 Reporter, Certified Shorthand Reporter.
22

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<p>1 have been saying about you," and then there's a 10:43:26</p> <p>2 sentence in italics. Is that what you mean? 10:43:28</p> <p>3 BY MR. SHEA: 10:43:31</p> <p>4 Q. Yeah. Can you tell me what that says? 10:43:31</p> <p>5 A. It says, "Ken single handedly implemented a 10:43:33</p> <p>6 new multiroom sync technology for Hendrix that has 10:43:35</p> <p>7 brought us up to par with existing and well 10:43:39</p> <p>8 established multiroom implementations in the market, 10:43:42</p> <p>9 such as Sonos and Dennon and won great acclaim among 10:43:43</p> <p>10 the tech press and audiophiles." 10:43:47</p> <p>11 Q. Do you remember that, that kind of being the 10:43:49</p> <p>12 reasoning for the spot bonus? Do you have any 10:43:56</p> <p>13 recollection of that, I guess I'm asking? 10:43:58</p> <p>14 A. So I can't say that that's the reasoning 10:44:00</p> <p>15 behind the spot bonus. That's just the message that 10:44:04</p> <p>16 was attached to the bonus. 10:44:12</p> <p>17 Q. I see. I see. Do you know who prepared that 10:44:13</p> <p>18 message that was attached to the bonus? 10:44:15</p> <p>19 MS. DUCCA: Objection. Outside the scope. 10:44:17</p> <p>20 Calls for speculation. 10:44:19</p> <p>21 THE WITNESS: I don't know. 10:44:23</p> <p>22 BY MR. SHEA: 10:44:24</p>	<p>1 Google's Cast enabled media players are sold, is the 10:45:43</p> <p>2 program code that's responsible for the multiroom 10:45:50</p> <p>3 functionality already loaded onto those players? 10:45:53</p> <p>4 MS. DUCCA: Objection. Vague. 10:46:02</p> <p>5 THE WITNESS: So there is already code loaded 10:46:12</p> <p>6 onto those players that supports multiroom features. 10:46:22</p> <p>7 BY MR. SHEA: 10:46:40</p> <p>8 Q. When you say, "multiroom features," would 10:46:40</p> <p>9 that include casting to a group of multiroom players 10:46:42</p> <p>10 the same audio? 10:46:50</p> <p>11 MS. DUCCA: Objection. Vague. 10:46:55</p> <p>12 THE WITNESS: So the -- I don't think there 10:47:03</p> <p>13 would ever be a case where you would be able to use 10:47:05</p> <p>14 the code that's already loaded onto those players to 10:47:12</p> <p>15 cast to a group. 10:47:14</p> <p>16 BY MR. SHEA: 10:47:18</p> <p>17 Q. And why -- sorry. Why is that? 10:47:18</p> <p>18 A. Because during the setup process of a new 10:47:22</p> <p>19 device, we automatically download new code and load it 10:47:28</p> <p>20 onto the device before a user can use it. 10:47:35</p> <p>21 Q. Okay. Okay. So setting that aside -- and I 10:47:40</p> <p>22 understand there's the issue of the download of the 10:47:45</p>
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<p>1 Q. And do you have any understanding of -- well, 10:44:24</p> <p>2 do you recall what the amount of the spot bonus was? 10:44:32</p> <p>3 MS. DUCCA: Objection. Outside the scope. 10:44:35</p> <p>4 THE WITNESS: I don't recall exactly. 10:44:40</p> <p>5 BY MR. SHEA: 10:44:42</p> <p>6 Q. Okay. Do you have any recollection or 10:44:42</p> <p>7 understanding of how that -- the amount of that spot 10:44:43</p> <p>8 bonus compares to other spot bonuses that are given 10:44:48</p> <p>9 out by Google? 10:44:52</p> <p>10 MS. DUCCA: Objection. Outside the scope. 10:44:53</p> <p>11 Calls for speculation. 10:44:55</p> <p>12 THE WITNESS: So I don't have any knowledge 10:44:56</p> <p>13 about the range of spot bonus amounts across Google. 10:44:58</p> <p>14 BY MR. SHEA: 10:45:05</p> <p>15 Q. Okay. So you don't know kind of where it 10:45:05</p> <p>16 fit? You don't know what yours was vis-a-vis other 10:45:06</p> <p>17 ones necessarily? 10:45:13</p> <p>18 A. Right. I have no basis of comparison. 10:45:14</p> <p>19 Q. Okay. That's fine. We can put that away, 10:45:17</p> <p>20 then. So now we're going to shift gears and maybe 10:45:23</p> <p>21 move away from some of those types of topics. 10:45:30</p> <p>22 And just to be clear, do you know when 10:45:37</p>	<p>1 new code, but is the code that's loaded on those 10:47:47</p> <p>2 players prior to that functional code when it comes to 10:47:52</p> <p>3 multiroom audio? 10:47:56</p> <p>4 MS. DUCCA: Objection. Vague. 10:47:59</p> <p>5 THE WITNESS: What do you mean by 10:48:07</p> <p>6 "functional"? 10:48:10</p> <p>7 BY MR. SHEA: 10:48:11</p> <p>8 Q. Does it -- well, yeah. Maybe let me do it 10:48:11</p> <p>9 this way: Is the code that's on those players code 10:48:13</p> <p>10 that has been compiled from source code that has been 10:48:18</p> <p>11 written for handling the multiroom audio features? 10:48:25</p> <p>12 A. Yes. Well, to clarify it, among lots of 10:48:31</p> <p>13 other code. 10:48:40</p> <p>14 Q. Yes. Sorry. And I didn't mean to suggest to 10:48:42</p> <p>15 the contrary. Of course, there's other code as well, 10:48:45</p> <p>16 but is it the case that it would be the same with 10:48:48</p> <p>17 respect to the multizone audio functionality and the 10:48:55</p> <p>18 code that's related to that, in particular, would the 10:48:59</p> <p>19 version of software that's loaded onto the players at 10:49:04</p> <p>20 the time that they're sold be compiled from the same 10:49:09</p> <p>21 code base as the version that ultimately gets updated 10:49:13</p> <p>22 onto the player? 10:49:18</p>

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1	MS. DUCCA: Objection. Vague and ambiguous. 10:49:20	1	kind of a -- it may not be the right term, but like 10:52:28
2	THE WITNESS: I guess it would depend on what 10:49:22	2	the make file or some process by which the actual 10:52:32
3	you mean by the "same code base." 10:49:27	3	decision is made as to which source code is compiled 10:52:36
4	BY MR. SHEA: 10:49:29	4	into the binary code that gets loaded? 10:52:39
5	Q. Well, let me ask you, what do you understand 10:49:29	5	MS. DUCCA: Objection. Vague. 10:52:44
6	the "same code base" to mean? 10:49:34	6	THE WITNESS: So the build process is 10:52:53
7	A. The exact, same code. 10:49:43	7	responsible for determining which code is compiled for 10:52:58
8	Q. I see. Okay. Yeah. What I was trying to 10:49:45	8	the build target. 10:53:01
9	get at is how would you refer to code that is -- it's 10:49:47	9	BY MR. SHEA: 10:53:04
10	different versions of the same evolutions of the same, 10:49:54	10	Q. Okay. When you say you would have to look at 10:53:04
11	common code? 10:49:57	11	the code to know for sure, then are you saying you 10:53:09
12	A. I guess I'm not sure that I would have a term 10:50:09	12	would have to look at the code for the build process 10:53:11
13	for that specifically, but I mean that phrase is fine, 10:50:14	13	to understand what decisions it's making on a 10:53:15
14	I suppose. 10:50:17	14	target-by-target basis? 10:53:17
15	Q. Okay. And maybe I can just short circuit it. 10:50:22	15	MS. DUCCA: Objection. Mischaracterizes. 10:53:19
16	I mean I guess what I'm just trying to get at is it 10:50:24	16	THE WITNESS: It would depend on specifically 10:53:25
17	the case that the code that's loaded onto the players 10:50:27	17	which code you're interested in. 10:53:26
18	at the time they're sold is compiled from one version 10:50:32	18	BY MR. SHEA: 10:53:33
19	or snapshot of the source code related the multiroom 10:50:38	19	Q. Okay. So we're going to get into more 10:53:33
20	audio features, and then the update is perhaps 10:50:41	20	details in a little bit on the code, but I guess 10:53:37
21	compiled from just a later update -- or version of 10:50:46	21	generally, what I'm most curious about right now is 10:53:39
22	that same source code? 10:50:52	22	the code that relates to the multiroom audio 10:53:41
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1	A. Yes. That's fair. 10:50:56	1	functionality of the products. 10:53:44
2	Q. Is -- from a program code perspective, are 10:51:04	2	A. Okay. It's a little unclear how broad 10:53:47
3	there any differences in what gets loaded -- sorry. 10:51:09	3	"relates to" is, I guess. 10:53:54
4	Let me start over because I wanted to add one more 10:51:14	4	Q. I see. Okay. That's okay. So basically, 10:53:56
5	thing to that. 10:51:16	5	without kind of having some bounds on what specific 10:54:06
6	So talking specifically about the multiroom 10:51:20	6	directories or the like that we're talking about, it's 10:54:11
7	audio part of the software, from a program code 10:51:24	7	difficult for you to tell how -- which code gets 10:54:14
8	perspective, are there differences in the program code 10:51:27	8	compiled and loaded onto which player. Is that a fair 10:54:19
9	that gets loaded onto the different types of Google 10:51:30	9	characterization? 10:54:23
10	Cast enabled media players that are sold? 10:51:36	10	A. Right. Yes. Sorry. 10:54:24
11	MS. DUCCA: Objection. Vague. 10:51:40	11	Q. No. Go ahead. 10:54:26
12	THE WITNESS: So I think I'd have to look at 10:51:46	12	A. So if you had a question about a specific 10:54:28
13	the source code to be absolutely sure about that. 10:51:47	13	piece of code, then it would be fairly straightforward 10:54:31
14	BY MR. SHEA: 10:51:52	14	for me to be able to tell whether or not it's loaded 10:54:34
15	Q. Okay. And when you say, "look at the source 10:51:52	15	onto a given device given the source code. 10:54:38
16	code," what part of the source code would you look at 10:51:54	16	MR. SHEA: I see. Okay. Well, maybe what we 10:54:43
17	to know which -- you know, which program code is 10:51:58	17	can do is as we're going through some of the more 10:54:44
18	getting loaded onto which player? 10:52:03	18	specific pieces of the process, which we're going to 10:54:46
19	A. Well, there are several different ways by 10:52:08	19	get into here in a little bit, I can maybe ask some of 10:54:49
20	which code can be built in or not built in depending 10:52:16	20	those questions along the way if it makes sense. 10:54:52
21	on the target device. 10:52:20	21	So one last thing before we do dive into the 10:54:57
22	Q. Okay. And is that all handled as part of 10:52:23	22	functional operation is I wanted to ask you about 10:55:01